

REMARKS

Claims 1, 2, 4, 8-16, 44, 46, 48-54, 57-64, and 66-73 are pending in the above-identified application. Applicants appreciate the indication by Examiner Zhou that claims 1, 2, 4, 8-16, 44, 46, 48-54, 57-64, and 66-73 are deemed to be in condition for allowance.

In the Quayle Office Action, several formalities have been requested to be addressed. The Office Action requests that the specification be reviewed for trademarks and amended to reflect trademarks. The specification has been amended to indicate registered trademark names.

The Office Action additionally indicates that the title is not descriptive and requests that the title be amended to reflect the elected claims. The title has been amended to "Methods of Classifying Drug Responsiveness Using Multiparameter Analysis" to more closely reflect the elected invention.

The Office Action additionally indicates that the current filing receipt includes a foreign priority claim to German application No. 10057589.7 but that the image file of the application does not contain a paper claiming priority from the foreign application, a certified copy of the priority document, or a Declaration reflecting the priority claim. Applicants respectfully submit that no priority claim to German application number 10057589.7, filed November 21, 2000, has been made. As evidence that no priority claim has been made, submitted herewith is a copy of the filing receipt received in the above-referenced application (Exhibit 1). As noted on the filing receipt, no priority claim has been made in the present application. Furthermore, Applicants are unaware of any error on the filing receipt indicating a priority claim to German application number 10057589.7 which needs correcting, as evidenced by Exhibit 1. Accordingly, Applicants respectfully request that this objection be withdrawn.

In light of the amendments and remarks herein, Applicants submit that the formalities raised by the Office in the Action mailed October 4, 2006, have been satisfied or addressed as discussed above. Accordingly, withdrawal of these objections and issuance of a notice of allowability is respectfully requested. The Examiner is invited to call the undersigned agent with any questions.

09/919,360

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

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